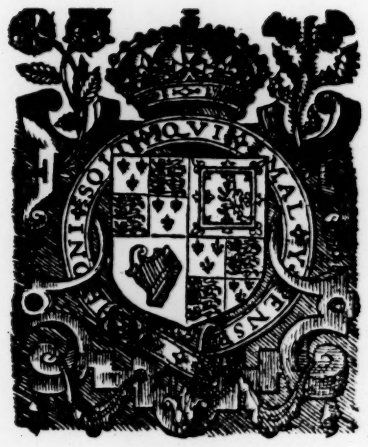

By the King.

A Proclamation touching Tobacco.

Hereas Our moſt deare Father, of bleſſed memory, deceaſed, for many weighty and important reaſons of State, and at the humble ſuit of his Commons in Parliament, did heretofore publiſh two ſeuerall Proclamations, the one bearing date the nine and twentieth day of September, in the two & twentieth yeere of his Highneſſe Reigne of England, France, and Ireland, and of Scotland the eight and fiftieth, and the other the ſecond day of March then next following, by both of them vtterly prohibiting the importation & vſe of all Tobacco, which is not of the proper growth of the Colonies of Virginia, and the Sommer-Ilands, or one of them, With ſuch Cautions, and vnder ſuch Paines and Penalties, as are in thoſe Proclamations at large expreſſed.

And whereas Our layd Father, by another Proclamation bearing date the thirtieth day of December, in the ſeuenteenth yeere of his Highneſſe Reigne of England, did ſtraitly charge all and euery perſon or perſons, of what degree or condition ſoeuer, that they ſhould not from the ſecond day of February then next following, preſume to Sowe, Set, or Plant, or cauſe to be ſowen, ſet, or planted within this Realme of England, or Dominion of Wales, any ſort or kinde of Tobacco whatſoeuer, and that they, or any of them ſhould not maintaine and continue any old Stockes or Plants of Tobacco formerly ſowen or planted, but ſhould forthwith deſtroy and roote vp the ſame.

And whereas wee, finding the ſaid Proclamations to be grounded vpon many weighty reaſons and conſiderations, did ſince Our Acceſſe to Our Crowne, by Our Proclamation lately publiſhed, renew and confirme the ſaid former prohibitions: Neuertheleſſe, becauſe the immoderate deſire of taking of Tobacco hath ſo farre preuailed in theſe Our Kingdomes, as that it cannot on a ſodaine bee vtterly ſuppreſſed, and the difference, or, at leaſt, the opinion of difference betweene Spaniſh or forreine Tobacco, and Tobacco of the Plantations of Virginia, and of Our owne Dominions, is ſuch, that Our Subiects can hardly be induced totally to forſake the Spaniſh Tobacco; whereby it commeth to paſſe, That where wee were willing to haue ſuffered loſſe in Our Cuſtomes, ſo as the ſayd forreigne Tobacco might haue been kept out, the ſame is ſecretly, and by ſtealth brought in in great quantities, and many great quantities of Tobacco are ſet and ſowen within this Our Realme of England and Dominion of Wales, and ſo the miſchiefe, intended to be redreſſed, is not auoided, and yet Our Reuenue in Our Cuſtomes is much diminiſhed.

Wee therefore, taking into Our Princely conſideration, as wel the preſent eſtate of theſe times, and how many important neceſſities doe at this inſtant preſſe Us, that by all good meanes wee ſhould husband Our Reuenue to the beſt, and alſo conſidering the many inconueniences which doe and will ariſe, both to Our ſelues and to Our Subiects, by the ſecret importation of Spaniſh Tobacco, and planting of Engliſh Tobacco, whereby diuers of Our Subiects haue taken liberty to themſelues, for the deſire of priuate gaine, Without reſpect to the publique, to make ſuch frequent ſale of the ſame, as that thereby not onely Our Plantations abroad are much hindered, but Our Cuſtomes alſo are much impayred, wee haue thought fit, by the aduice of Our Com-

missioners for Our Reuenue, as Our first part of proceeding concerning Tobacco, to restrain wholly the planting of Tobacco within these Our Realmes, or any the Iles thereto belonging, and to forbid the importation of forreine Tobacco. And yet to giue way to the infirmitie of Our Subiects for the present, by the allowing the importation of some smal quantity of Spanish or forreine Tobacco, not being of the growth of the English Plantations, not exceeding the quantitie of fiftie thousand weight in any one yeere to bee brought in by Our owne Commissioners onely, and to Our owne particular vse onely, and not otherwise.

And to the end that the extraordinary liberty now taken, may be restrained, the said Colonies or plantations not hindered, nor Our Selfe deceiued in Our Customes, Wee haue likewise by the aduice aforesaid, thought it requisite, to imploy some persons of trust and qualitie to be Our Commissioners in this Seruice, to, and for Our owne proper vse, and vpon accompt to be giuen to Us for the same.

Wee doe therefore hereby publish and declare Our Royall will and pleasure, that, notwithstanding the seuerall Proclamations before mentioned, We are well contented to giue way to the importation and sale of so much Spanish and forreine Tobacco, as shall not exceede the quantitie of fifty thousand weight in any one yeere, as aforesaid, and that the same shall bee Our owne Merchandise and Commodity, and be managed and disposed of by Our owne Commissioners, or such as they shall appoint for Our vse, and not otherwise.

And, because that no man shall presume, by colour of this Our Licence or toleration, to import any other, or greater quantity of Spanish or forreine Tobacco, nor vtter or put the same to sale, to the preiudice of Our Seruice hereby especially intended, and to the ouerthrow of Our Colonies and Plantations abroad, Wee doe hereby straitly charge and command, that no man, other then Our owne Commissioners, for Our owne proper vse, presume to import any forreine Tobacco into Our Realmes of England or Ireland, or any parts thereof.

And for their better assistance therin, and the preuention of all abuses, Wee haue thought fit, and so ordaine, and doe by these presents publish Our Royall pleasure, That all Tobacco that shall from henceforth be imported into this Our Realme of England, whether it be Spanish, or of the growth of Virginia, the Sommer-Ilands, or the West-Indies, or other adiacent Ilands, beeing English Plantations, shall be brought into Our Port of London onely: Also that there shall bee three seuerall Seales kept by Our Commissioners in some conuenient place, where they shall appoint, vnder three lockes, whereof three of Our Commissioners shall keepe three seuerall Keyes, wherwith both all such forrein Tobacco, as shalbe so imported, as aforesaid, as also such other Tobacco of the growth of Virginia, and the Sommer-Ilands, and other the said Plantations as shall be imported, shall be sealed, That is to say, for that of Virginia, and the Sommer-Ilands, a Seale engrauen with Our Armes, and for that of the other English Plantations, a Seale engrauen with a Lion and a Crowne, and for the other forreine Tobacco, a Seale engrauen with a broad Arrow and a Portcullice, without paying any thing for the sealing of the Tobacco of Virginia, and Sommer-Ilands, and other the said Plantations, but onely what the parties themselues shall thinke fit to allow for the sealers paines, waxe, and threed.

And We doe hereby will and Command, that no person or persons whatsoeuer, whether Denizen, or Stranger, or borne within any of Our Realms or Dominions, doe presume, attempt, or goe about to counterfeit the said Seales, or any of them, and that no person or persons whatsoeuer, other then Our Commissioners, their deputie or deputies doe presume, attempt, or goe about to import any Spanish or forreine Tobacco whatsoeuer, or to buy, vtter, or sell any Tobacco, of what sort soeuer, but such as the Roule thereof shall be sealed with one of the Seales aforesaid, or to import any other, or greater quantitie of Spanish Tobacco, then the said fiftie thousand weight onely in any one yeere, or to sowe, set, or plant, or cause to be sowen, set, or planted in any of his, or their grounds, any Tobacco whatsoeuer, within Our Realmes of England, or Ireland, or Dominion of Wales, or any Iles or places belonging thereto, or permit, or suffer any old stockes formerly set to continue, vpon paine of forfeiture vnto Us, of all such Tobacco as shall be imported, set, sowen, planted, suffered, vttered, or put to sale, contrary to the true meaning of these presents, and to haue the same English Tobacco vtterly destroyed, in whose hands soeuer the same shall be found, and vpon such further paines and penalties, as by the Lawes and Statutes of this Our Realme of England, or by the seueritie, or censure of Our Court of Star-chamber, or by Our Prerogatiue Royall may be inflicted vpon the offenders for their contempt of this Our Royall Command, the one moitie of all which fines to be imposed vpon any the said offenders, Wee are graciously pleased shalbe bestowed vpon the persons that shall informe against them for the same; and that such person or persons as shall discouer any planting of Tobacco within Our Realme of England, or other Our Realmes or Dominions, shall haue his charges expended in following of Suite against the offendors, allowed out of Our part of the fines to be imposed, besides his moitie aforesaid.

And further, that euery person or persons, that shall discouer the falsifying, or counterfeiting of any the Seales aforesaid, shall haue an hundred Crownes for such his discouery out of Our part of the fine to be imposed for the same, besides the one moity for himselfe, as aforesaid.

And for the better execution of Our will and pleasure, We doe hereby Command, all and singular Customers, Comptrollers, Searchers, Waiters, and other Officers, attending in all, and euery, or any of Our Ports, Creekes, or places of lading, or vnlading, for the taking, collecting, or receiuing of any Our Customes, Subsidies, or other duties to take notice of this Our pleasure.

And We doe hereby command, and giue power and authority vnto Our said Commissioners, and those whom they shall thinke fit to imploy in Our said seruice, and euery, or any of them from time to time, and at all times when they shall thinke fittest, with a Constable, or other officer, for their assistance to search any ship, or other vessell or bottome, riding or lying within any Port, Hauen, or Creeke within their seuerall charge and place of attendance, for all Tobacco, imported contrary to the intent of this Our Proclamation, and the same being found, to seize and take to Our vse, as also to take notice of the names, and apprehend the bringers in, and buyers of the same, to the end they may receiue condigne punishment for their offence.

And further, to take speciall care, that no more of the said Spanish, or other forraine Tobacco, shall be imported, then the said fifty thousand weight onely, in any one yeere, and that the same be brought into Our Port of London onely, as aforesaid, vpon paine that euery of the said officers that shall be found negligent, corrupt, or remisse herein, shall lose his place, and entertainement, and vndergoe such paines and penalties, as by the Lawes, or the censure of Our said Court of Star chamber may be inflicted vpon them for the same.

And likewise We doe hereby ordaine, will and appoint, that it shall and may be lawfull, to and for Our said Commissioners, authorised, as aforesaid, to import the said fifty thousand weight of Spanish or other forraine Tobacco, by him, or themselues, or his, or their deputy or deputies with a Constable, or other officer, for their assistance, to enter into any suspected place or places, at such time or times, as they shall thinke to be most conuenient, and there to search, discouer, and finde out any Tobacco, imported, vttered, planted, set, sowed, sold or vented, not marked, or sealed, as aforesaid, contrary to the true meaning hereof, and all such Tobacco so found to seize, take away, & dispose of & the owners thereof, or in whose custome the same shal be found, to informe, and complaine of, to the end they may receiue punishment, according to Our pleasure herein before declared.

And further, We doe by these presents, will and require, all and singular Maiors, Sheriffes, Iustices of peace, Bailiffes, Cõstables, Headboroughs, Customers, Controllers, Searchers, Waiters, and all other our Officers, and Ministers whatsoeuer, that they, and euery of them, in their seuerall places and offices, be diligent and attendant in the execution of this Our Proclamation, and also ayding and assisting, to our said Commissioners thereunto by Vs appointed, or to be appointed, and to their Deputies, as well in any search for discouery of any act, or acts to bee performed, contrary to the intent of these presents, as otherwise in the doing, or executing of any matter or thing for the accomplishment of this Our Royall Command.

And lastly, Our will and pleasure is, and We doe hereby, charge and command Our Atturney generall, for the time being, to informe against such persons in Our Court of Star-chamber, or Exchequer-chamber, as the case shall require from time to time, whose contempt and disobedience against this Our Royall Command, shall merit the censure of these Courts.

Giuen at Our Court at Whitehall, the seuenteenth day of Februarie, in the second yeere of Our Reigne of Great Britaine, France, and Ireland.

God saue the King.

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M. DC. XXVI.